

CPA/1771  
AS



PATENT  
ATTORNEY DOCKET NO.: 054160-5012-01 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Shigeru YAO *et al.* )  
Application No.: 09/539,929 ) Group Art Unit: 1771  
Filed: March 31, 2000 ) Examiner: Leanna M. Roche  
For: **POROUS INSULATING FILM AND** )  
**ITS LAMINATES** )

Commissioner for Patents and Trademark  
Washington, D.C. 20231  
**BOX MISSING PARTS**

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed August 12, 2002.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

**2. Declaration Or Oath**

No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney

The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

**3. Fee Calculation**

Basic Fee: Patent Application-\$740.00 Design Application-\$370.00				\$ 740.00
	Number Filed	Number Extra	at a Rate of	
Total Claims	17- 20 =	0	\$18.00 each=	+ 0.00
Independent Claims	2 - 3 =	0	\$84.00 each=	+ 0.00
Multiple dependent claim(s), if any			\$270.00	+ 0.00
Missing Parts Surcharge Fee			\$130.00	+ 130.00
<b>SUB-TOTAL =</b>				<b>870.00</b>
Reduction by ½ for filing by a small entity				- \$ .00
<b>SUB-TOTAL =</b>				<b>870.00</b>
Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d)		\$130.00	+ 0	
Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d)		\$130.00	+ 0	
<b>TOTAL FILING FEE =</b>				<b>\$ 870.00</b>

**4. Extension of Time**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

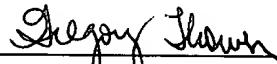
Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

6. **Additional papers enclosed.**

- Preliminary Amendment
- Information Disclosure Statement
- Form PTO-1449
- Citations
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
\_\_\_\_\_  
Gregory T. Lowen, Ph.D.  
Reg. No. 46,882

Date: September 26, 2002

**CUSTOMER NO. 009629**

**MORGAN, LEWIS & BOCKIUS LLP**

1111 Pennsylvania Ave., N.W.

Washington, D.C. 20004

Tel: (202) 739-3000

Fax: (202) 739-3001

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 390.00	\$195.00
[ ] three months	\$ 890.00	\$445.00
[ ] four months	\$1,390.00	\$695.00

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

#### 5. Fee Payment

The total fee due is: Filing Fee \$740.00  
Missing Parts Fee \$130.00  
Total Fee Due \$870.00

**Total Fee Due \$870.00**

**EXCEPT** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING /RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	----------------------	-----------------------	---------------------------



DATE MAILED: #13  
10-08

**NOTICE TO FILING MISSING PARTS OF APPLICATION (CPA)**  
*Filing Date Granted*

The Continued Prosecution Application (CPA) request filed on \_\_\_\_\_ is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

**Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).**

**The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.**

1. The statutory basic filing fee is:  
 missing.  
 insufficient.

(a) Applicant must submit \$ 740 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ 130 to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

2. Additional claim fees of

\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ independent claims over 3.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ claims over 20.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

*Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.*

3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21 (m)).  
 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.  
 5. Other: \_\_\_\_\_

**A copy of this Notice MUST be returned with the reply.**

Direct the reply and any questions about this Notice to:

*Allen DeDwyer*  
Examining Group 1200

(703) 305-4433

09/27/2002 SSESHE1 00000084 500310 09539929  
01 FC:131 740.00 CH  
02 FC:105 130.00 CH